

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

ANTOINETTE RENNE JERNIGAN
and ELLA MAE ROGERS.,

Plaintiffs,

v.

Case No: 8:19-cv-2343-KKM-CPT

DANIEL ALLEN CRAWFORD and
COLE BRENDAN CRAWFORD,

Defendants.

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ORDER

The plaintiffs filed a “Motion to Permit Medical Bill Summary,” which seeks pretrial permission to admit into evidence “a summary of medical bills” under Federal Rule of Evidence 1006 (Doc. 22). Essentially, the plaintiffs request the Court enter a pretrial ruling allowing them to enter a summary exhibit into evidence at trial. (Doc. 22, p. 2). The plaintiffs represent that defendants have not indicated their position on this motion. (Doc. 22, p. 3).

The plaintiffs’ motion is denied without prejudice as premature. If this case proceeds to trial (currently scheduled for the June 2021 trial term), the parties may file their motions *in limine* closer in time to the final pretrial conference. After those motions become ripe, the Court will then consider whether to rule on them before trial or wait for the benefit of full development of the predicate facts for admission into evidence.

See Roberts v. Charter Nat'l Life Ins. Co., 105 F.R.D. 492, 493 (S.D. Fla. 1985) (denying without prejudice motion *in limine* seeking pretrial ruling on admissibility of evidence at trial); *Robinson v. Linde Lift Truck*, No. 8:01-CV-281-T-23MAP, 2003 WL 25686836, at *1 (M.D. Fla. June 12, 2003) (Merryday, J.) (same). The parties are, of course, free to enter into stipulations ahead of trial. But the Court will not adjudicate motions *in limine* filed months before the scheduled trial.

The Court reminds the parties to strictly follow the Local Rules¹ and all Court orders. The plaintiffs failed to follow Local Rule 3.01(g)—although counsel attempted to confer with opposing counsel, the plaintiffs failed to fulfill their continuing duty to supplement their motion and advise the Court on the defendants' position. Similarly, the defendants failed to follow Local Rule 3.01(b) because they never responded to the plaintiffs' motion within fourteen days, even though expressly directed to do so by the Court. (Doc. 24). Future failures to strictly follow the Local Rules and Court orders may result in motions being stricken or being deemed unopposed.

The plaintiffs' "Motion to Permit Medical Bill Summary" (Doc. 22) is **DENIED WITHOUT PREJUDICE** as premature. The parties may file motions *in limine* at a date closer in time to the pretrial conference.

¹ On February 1, 2021, revisions to the Middle District of Florida's Local Rules will take effect. *See Local Rules*, <https://www.flmd.uscourts.gov/local-rules> (last visited Jan 21, 2021).

ORDERED in Tampa, Florida, on January 25, 2021.



Kathryn Kimball Mizelle
United States District Judge